

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Victoria Cortez Maldonado

Docket No. 7:09-CR-40-1F

Petition for Action on Supervised Release

COMES NOW Djeni B. Barrett, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Victoria Cortez Maldonado, who, upon an earlier plea of guilty to Possession With the Intent to Distribute More Than 50 Grams of a Mixture or Substance Containing a Detectable Amount of Methamphetamine in violation of 21 U.S.C. § 841(a)(1), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on October 6, 2009, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 4 years under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
2. The defendant shall cooperate in the collection of DNA as directed by the probation officer.
3. The defendant shall participate in Narcotics Anonymous. The court orders the defendant to complete this program so that the defendant may see what the effects of drugs are on society.
4. The defendant shall pay a special assessment of \$100.00.

On August 4, 2011, pursuant to Rule 35, the court reduced the defendant's sentence to time served.

Victoria Cortez Maldonado was released from custody on August 5, 2011, at which time the term of supervised release commenced.

On April 17, 2014, a Violation Report was submitted reporting the defendant was charged with Felony Larceny, Misdemeanor Larceny, Removal, Destruction or Deactivation of a Security Component to Commit Larceny, Felony Conspiracy, and Injury to Personal Property. The defendant denied these charges and the probation officer recommended supervision continued pending disposition of the state charges.

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**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

On May 7, 2014, the defendant appeared in Onslow County District Court and pled guilty to Conspiracy to Commit Misdemeanor Larceny (14CR52016). The defendant received a suspended sentence and was ordered to pay a fine and restitution.

The defendant lives in Richlands, North Carolina, with her husband and three children.

With the exception of this incident, the defendant has complied with all conditions of supervision. The probation officer is recommending modification of supervision to include 24 hours of community service.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Djoni B. Barrett
Djoni B. Barrett
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-347-9038
Executed On: May 23, 2014

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ORDER OF COURT

Considered and ordered this 23rd day of May, 2014, and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge